

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORLANDO MINO HERNANDEZ,
individually and on behalf of others similarly situated, OSMEL RUBEN SOSA NAJERA,
individually and on behalf of others similarly situated, RAFAEL BASURTO GOMEZ,
individually and on behalf of others similarly situated, JOSE LUIS MENDEZ, *individually and on behalf of others similarly situated*, MIGUEL MIRANDA, *individually and on behalf of others similarly situated*, ROSALIO PEREZ, *individually and on behalf of others similarly situated*, and ANGEL GEOVANI RAMOS,

Plaintiffs,

v.

LIRA OF NEW YORK INC., *doing business as* Luke's Bar & Grill, LUIGI MILITELO, TOMMY TIN, JONATHAN MATEOS, and LUIGI LUSARDI,

Defendants.

RONNIE ABRAMS, United States District Judge:

Plaintiffs filed their Complaint with this Court on June 10, 2020, Dkt. 1, and summons were issued as to Defendants Lira of New York Inc., Luigi Militelo, Luigi Lusardi, and Tommy Tin on June 11, 2020, Dkts. 7-10, and as to Defendant Jonathan Mateos on August 6, 2020, Dkt. 14. As Plaintiffs did not file an affidavit of service within the 90 days prescribed by Rule 4(m) of the Federal Rules of Civil Procedure, the Court issued an Order on September 24, 2020 directing Plaintiffs to file a letter explaining why they failed to serve the summons and Complaint within 90 days, or, if they believed that Defendants had been served, explaining when and in what manner such service was made. Dkt. 15. On September 28, 2020, Plaintiffs filed an affidavit of service averring that Defendant Lira of New York was served on August 7, 2020, Dkt. 16, and four additional affidavits of service averring that Defendants Luigi Militelo, Luigi

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20-CV-4457 (RA)

ORDER

Lusardi, Tommy Tin, and Jonathan Mateos were served on August 12, 2020, Dkts. 17-20. Defendant Lira's answer was due on August 28, 2020, and Defendants Luigi Militelo, Luigi Lusardi, Tommy Tin, and Jonathan Mateos's answers were due on September 2, 2020.

Defendants have not appeared, answered, or otherwise responded to the Complaint.

Defendants shall do so or seek an extension by October 27, 2020. If Defendants fail to do so, and Plaintiffs intend to move for default judgment, they shall do so by November 10, 2020.

Plaintiffs shall serve a copy of this Order on Defendants by October 13, 2020 and promptly file proof of such service on the docket.

SO ORDERED.

Dated: October 6, 2020
New York, New York



Ronnie Abrams
United States District Judge